

Examiner's Amendments

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Colleen McKiernan on June 24, 2008.

The application has been amended as follows:

A. Claim 1 is rewritten as follows:

--"A method for the selection of a bacteriophage comprising the steps of:
(a) providing a plurality of bacteriophage encoding and displaying a fusion polypeptide, said displayed fusion polypeptide comprising a heterologous polypeptide inserted into the sequence of a bacteriophage coat wherein said plurality of bacteriophage comprise a sequence specific protease cleavable site located within the displayed polypeptide and which site is protected by folding of the displayed fusion polypeptide and is either absent from the bacteriophage other than the site specific insertion, or inaccessible to cleavage, or present only in bacteriophage proteins not required after bacteriophage assembly to mediate infection and wherein cleavage of said sequence specific protease cleavable site impairs infection by a said bacteriophage; (b) exposing the bacteriophage to a protease that recognizes said sequence specific protease cleavable site, wherein said protease only cleaves said sequence specific protease cleavable site if said displayed fusion polypeptide is not properly folded, such that said exposing selects against

bacteriophage displaying fusion polypeptide that is not properly folded; and (c) propagating a bacteriophage comprising intact displayed fusion polypeptide.”--

B. Claim 3 is rewritten as follows:

--“The method according to claim 1 wherein after exposing said plurality of bacteriophage to said sequence specific protease, a bacteriophage comprising uncleaved fusion polypeptide is separated from a bacteriophage comprising cleaved fusion polypeptide.--

C. Claim 19 is rewritten as follows:

--“The method according to claim 1 wherein the bacteriophage is a helper bacteriophage comprising a sequence specific protease cleavage site used in conjunction with phagemids.”--

D. Claim 20 is rewritten as follows:

--“The method according to claim 19 in which the encapsidated nucleic acid of the helper bacteriophage is a phagemid and requires the use of said helper bacteriophage comprising a sequence specific protease cleavage site.”--

Allowable Subject Matter

The following is an examiner’s statement of reasons for allowance: a method for selection of a bacteriophage utilizing a sequence specific protease cleavable site located within the displayed fusion protein wherein proper folding of the fusion protein provides protection from proteolytic cleavage and wherein proteolytic cleavage of an improperly folded fusion protein impairs infection of the bacteriophage is free of the prior art.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue

fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Future Communications

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Amber D. Steele whose telephone number is 571-272-5538. The examiner can normally be reached on Monday through Friday 9:00AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Doug Schultz can be reached on 571-272-0763. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

ADS
June 24, 2008

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